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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Richard DeRose
				Art Unit	Not Yet Assigned 1638
				Examiner Name	Not Yet Assigned H. Ibrahim
Sheet	1	of	1	Attorney Docket Number	05500-00128-US

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
MFI	AA	5,510,471	4/23/96	Rhone-Poulenc Agrochimie	
	AB	5,635,618	6/3/97	Rhone-Poulenc Agrochimie	
	AC	5,641,876	06/24/97	Comell research Foundation, Inc.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁴
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
MFI	BA	EP 508,909	10/14/92	Rhone-Poulenc Agrochimie	See AA	
	BB	EP 652,286	5/10/95	Rhone-Poulenc Agrochimie	See AB	
	BC	PCT 97/04103	2/6/97	PCT		
	BD	PCT 92/04449	3/19/92	PCT		
	BE	PCT 91/09948	7/11/91	PCT		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 If possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
MFI		Plant Molecular Biology 22: 1007-1015, 1993, "Nuclease sensitivity and functional analysis of a maize histone H3 gene promoter", Brignon et al.	
		The Plant Journal (1993) 3(2), 241-252, "A wheat histone H3 promoter confers cell division-dependent...gene in transgenic rice plants", Terada et al.	
		Plant Science, 89 (1993), 177-184, "Replication-independent cis-acting element of a maize histone gene promoter", Marc Lepetit et al.	
		Mol Gen. Genet (1989) 219:404-412, "Organization of the histone H3 and H4 multigenic families in maize and in relate genomes", Nicole Chaubet et al.	
		Plant Molecular Biology, 22: 1007-1015, 1993, "Nuclease sensitivity and functional analysis of a maize histone H3 gene promoter", Pierre Brignon et al.	
		Kim et al. Plant Molecular Biology, 1994, vol. 24, pp. 105-117.	
		Benfey et al. Science, 1990, vol. 250, pp. 959-966.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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Examiner Signature	Hedra A. Ibrahim	Date Considered	09/19/05
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